

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL CARBAJAL-PEREZ,

Defendant.

CASE NO. MJ10-292

DETENTION ORDER

Offense charged:

Alien, previously arrested and deported from United States, found again in United States after knowingly and voluntarily re-entering, without express consent of Department of Homeland Security.

Date of Detention Hearing: July 8, 2010

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

DETENTION ORDER - 1

18 U.S.C. § 3142(i)

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Defendant is reportedly a citizen of Mexico.
 - (2) The United States alleges that his presence in this country is illegal. There is an immigration detainer pending against him. The issue of detention in this case is therefore essentially moot.
 - (3) Defendant and his counsel offered nothing in opposition to the entry of an order of detention.
 - (4) Upon advice of counsel, defendant declined to be interviewed by this court's pretrial services officer. There is therefore limited information available about him.
 - (5) Defendant was convicted in Washington in 1995 for delivery of cocaine, and sentenced to 31 months of imprisonment. He was also convicted in Texas in 2004 of being found in the United States illegally, after being convicted of an aggravated felony and being deported. His supervision was also revoked in 2009.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
 - (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
 - (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

DETENTION ORDER - 2

18 U.S.C. § 3142(i)

1 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel
2 for the defendant, to the United States Marshal, and to the United States Pretrial
3 Services Officer.

4 DATED this 8th day of July, 2010.

5 

6 John L. Weinberg
7 United States Magistrate Judge